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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/464,298	12/15/1999	PETER T. LARSEN	042390.P7833	7343

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EXAMINER

TRAN, DENISE

ART UNIT	PAPER NUMBER
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2186

DATE MAILED: 01/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/464,298

Applicant(s)

LARSEN ET AL.

Examiner

Denise Tran

Art Unit

2186

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 38-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 38-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☒ Interview Summary (PTO-413) Paper No(s). 8.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_. 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. The applicant's amendment's filed 12/31/03 has been considered. Claims 1-37 have been canceled. Claims 38-43 are presented for examination.

2. The indicated allowability of claims 38-43 is withdrawn in view of the newly discovered reference(s) to Manning, U.S. Patent No. 5,729,503. Rejections based on the newly cited reference(s) follow.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 38 is rejected under 35 U.S.C. 102(b) as being anticipated by Manning, U.S. Patent No. 5,729,503.

As per claim 38, Manning teaches a method comprising:

receiving a command to enter a fast program mode to program a first piece of data at a first address (e.g., col. 11, line 65; page 5, lines 15-25; col. 4, lines 50-68; col. 8, lines 10-15);

entering into said fast program mode (e.g., page 5, lines 15-25; col. 8, lines 10-15);

programming said first piece of data at said first address in response to a write signal (e.g., col. 4, lines 62-65 and col. 7, lines 7-10);

checking whether termination of said fast program mode is indicated or if a second piece of data is to be written (e.g., col. 5, line 40 to col. 6, line 2; col. 8, lines 10-15), wherein said checking further comprises detecting if an incoming address is different from said first address (e.g., col. 14, lines 31-35);

exiting said fast program mode if said termination of said fast program mode is indicated (e.g., col. 5, line 40 to col. 6, line 2; col. 8, lines 10-15), else incrementing said first address to a second address (e.g., col. 4, line 59 to col. 5, line 5); and

programming said second piece of data at said second address in response to another write signal (e.g., col. 4, line 59 to col. 5, line 5 and col. 7, lines 7-10).

5. Claims 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manning, U.S. Patent No. 5,729,503, as applied to claim 38 above, in view of Applicant's admitted prior art, the current specification pages 1-4 and figs 1-2,

As per claims 39-40, AAPA teaches receiving a confirmation command prior to entering said program mode (e.g., page 3, line 2 to page 4, line 10); issuing a status value to indicate a status for said programming of said first piece of data (e.g., page 2, line 22 to page 3, line 5).

6. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Manning, U.S. Patent No. 5,729,503, as applied to claim 38 above, in view of

Applicant's admitted prior art, the current specification pages 1-4 and figs 1-2, and further in view of Walukas, US 6,229,737.

As per claim 41, Manning teaches wherein indication said termination comprising receiving an address unequal to said first address and a predefined data (i.e., an address of a next write and data, e.g., col. 5, line 40 to col. 6, line 2; col. 8, lines 10-15). Manning and AAPA do not explicitly show the use of packet. Walukas shows the use of data packet (e.g., col. 4, lines 1-2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Walukas into the system of Manning and AAPA because it would increase data programming speed and efficiency.

7. Claims 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manning, U.S. Patent No. 5,729,503, as applied to claim 38 above, in view of Applicant's admitted prior art, the current specification pages 1-4 and figs 1-2, and in view of Walukas, US 6,229,737, and further in view of James et al. U.S. Patent No. 5, 966, 723 (hereinafter James) .

As per claims 42-43, as discussed above Manning and AAPA do not explicitly show the use of data packets. Walukas show the use of data packet (e.g., col. 4, lines 1-2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Walukas into the system of Manning and AAPA because it would increase data programming speed and efficiency.

Manning, AAPA, and Walukas do not explicitly show wherein said predefined data packet is comprised of all 1's or all 0's. James shows wherein said predefined data is comprised of all 1's or all 0's (e.g., fig. 5, els. 173, 175 and col. 11, lines 48-49). It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of James into the system of Manning, AAPA, and Walukas because it would increase speed, throughput, and flexibility of programming memory device.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mailloux et al. (US 2002/0133665 A1) is cited to show method for programming data in a burst mode.;

Fisher et al. (4620277) shows comparing addresses;

Manning (5963504) shows performing high speed burst write mode and detecting address transition.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Denise Tran whose telephone number is (703) 305-9823. The examiner can normally be reached on Monday, Thursday, and an alternate Wednesday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on (703) 305-3821. The fax phone numbers for

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the organization where this application or proceeding is assigned are (703) 7467-239 for Official communications, (703) 746-7240 for Non Official communications, and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Denise Tran

1/17/03

A handwritten signature in cursive script, appearing to read "Denise Tran", is written over the typed name and date.